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UNITED STATES DEPARTMENT OF AGRICULTURE 2015 DEC 10 AM 10:16

BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Thomas J. Coleman,

Respondent

) Docket No. 16-0025  
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Complaint

There is reason to believe that the respondent named herein willfully violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), hereinafter referred to as the Act, and the regulations and standards (9 C.F.R. § 1.1 et seq.) issued pursuant to the Act, and, therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

A. Thomas J. Coleman is an individual hereinafter referred to as the respondent whose business address is 39 Sherwood Lane, Westampton, New Jersey 08060. The Respondent previously operated using the business name of Copper Lake Kennels.

B. The respondent, at all times material hereto, was operating as a dealer as that term is defined in the Act and the regulations.

C. The respondent previously held Animal Welfare license number is 57-A-0178. The respondent was a licensee and

received a copy of the regulations and the standards issued pursuant to the Act and agreed in writing to comply with them.

II

A. On or about December 14, 2011, APHIS inspected respondent's premises and found that the respondent failed to maintain programs of adequate veterinary care, in willful violation of section 2.40(b) of the regulations (9 C.F.R. § 2.40(b)).

B. On or about December 14, 2011, APHIS inspected respondent's premises and found the respondent willfully violated section 2.100(a) of the regulations (9 C.F.R. § 2.100(a)) and the standards by failing to remove animal wastes from primary enclosures daily, and from under primary enclosures as necessary, in willful violation of section 3.11(a) of the regulations (9 C.F.R. § 3.11(a)).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated the Act and the regulations and standards issued under the Act, this complaint shall be served upon the respondent. The respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure

to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

1. That unless the respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and

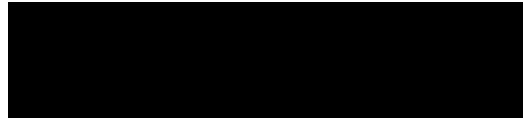
2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances, including an order:

(a) Requiring the respondent to cease and desist from violating the Act and the regulations and standards issued thereunder;

- (b) Assessing civil penalties against the respondent in accordance with section 19 of the Act (7 U.S.C. § 2149); and
- (c) Permanently revoking or suspending the respondent's license under the Act.

Done at Washington, D.C.

this 8<sup>th</sup> day of Dec, 2015



Administrator  
Animal and Plant Health  
Inspection Service

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